

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RITA WARD as the Administratrix of the  
Estate of William F. Ward, Deceased,

Plaintiff,

-v-

1:05-CV-938

THE UNITED STATES,

Defendant.  
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APPEARANCES:

OF COUNSEL:

BASCH & KEEGAN, LLP  
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DIANE J. CAGINO, ESQ.  
Ass't United States Attorney

DAVID N. HURD  
United States District Judge

**ORDER**

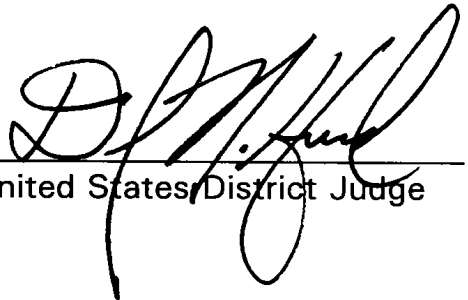
Upon due consideration of the submissions of the defendant in support of its motion for summary judgment, and the plaintiff not having responded to such motion, defendant has established that there is no genuine issue of fact for trial and it is entitled to summary judgment. Accordingly, it is

ORDERED that the United States' motion for summary judgment is GRANTED and the complaint is DISMISSED in its entirety.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: December 22, 2006  
Utica, New York.

  
United States District Judge